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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-413

13 **LINDSAY CHANDLER EADY**

A C C U S A T I O N

14 250 The Village Unit, 201
15 Redondo Beach, CA 90277

16 Registered Nurse License No. 798280

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about June 10, 2011, the Board of Registered Nursing issued Registered Nurse
24 License Number 798280 to Lindsay Chandler Eady (Respondent). The Registered Nurse License
25 was in full force and effect at all times relevant to the charges brought herein and will expire on
26 January 31, 2013, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

"(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of this chapter [the Nursing Practice Act] or regulations adopted pursuant to it.

6. Section 2762 of the Code states:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

"(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

7. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

14. **Oxazepam** is a Schedule IV controlled substance pursuant to Health and Safety Code Section 11057 (d) and a dangerous drug per Business and Professions Code Section 4022.

Oxazepam is used to relieve anxiety. Oxazepam is one of a class of medications called benzodiazepines, which work by slowing activity in the brain to allow for relaxation.

15. **Valium**, is a trade name for the chemical substance diazepam, a Benzodiazepam derivative, is a schedule IV controlled substance as designated by Health and Safety Code Section 11056(e)(7) and is categorized as a dangerous drug according to Business and Professions Code Section 4022.

CAUSES FOR DISCIPLINE

FIRST CAUSE FOR DISCIPLINE

(Illegal Furnishing or Self-Administration of Controlled Substances)

16. Respondent is subject to disciplinary action under Business and Professions Code section 2761, subdivision (a), on grounds of unprofessional conduct, as defined in Business and Professions Code section 2762, subdivisions (a) for violating Health and Safety Code sections 11170, 11171 and/or 11173 , subdivision (a) and/or 11350 in that in or about October of 2011, Respondent obtained, possessed and self-administered controlled substances and/or dangerous drugs, by reason of the following facts:

A. A fluid sample provided by Respondent for a pre-employment drug screening, on or about October 25, 2011, tested positive for both Oxazepam and Benzodiazepines (e.g. Valium, Xanax).

B. By her own admission, on an unspecified date in October, 2011, Respondent obtained several tablets of Valium from a friend of her brother, which she self-administered in the weeks prior to the testing date. By her own admission, Respondent did not have a prescription for this medication.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct)**

3 17. Respondent is subject to disciplinary action under section 2761, subdivision (a) and/
4 or (d), in that Respondent committed acts of unprofessional conduct in violation of the Nursing
5 Practice Act. Complainant refers to and by this reference incorporates allegations of paragraphs
6 15 and 16 above, as though fully set forth.

7 **PRAYER**

8 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
9 and that following the hearing, the Board of Registered Nursing issue a decision:

10 1. Revoking or suspending Registered Nurse License Number 798280, issued to
11 Lindsay Chandler Eady ;

12 2. Ordering Lindsay Chandler Eady to pay the Board of Registered Nursing the
13 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
14 Professions Code section 125.3;

15 3. Taking such other and further action as deemed necessary and proper.

16 DATED: November 20, 2012

17 Louise R. Bailey
18 LOUISE R. BAILEY, M.ED., RN
19 Executive Officer
20 Board of Registered Nursing
21 Department of Consumer Affairs
22 State of California
23 Complainant

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